

CHICAGO POLICE DEPARTMENT
ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
 (For use by Chicago Police Department Personnel Only)
 CPD-11 388(6/03)-C

RD #: **HX284801**

Case ID: 9833668 casr201

EVENT #: **1415201411**

INCIDENT

ASSIGNED TO FIELD

IUCR: 0461 - Battery - Agg Po Hands Etc Serious Inj

Occurrence	1537 N Talman Ave	Beat:	1423	Unit Assigned:	1462C
Location:	Chicago IL 303 - Sidewalk			RO Arrival Date:	01 June 2014 01:30
Occurrence Date:	01 June 2014 01:29			# Offenders:	4

NON-OFFENDER(S)

VICTIM - Individual

Name:	PO FERGUS#17370	Demographics	
Res:	2150 N California Ave Chicago IL 312 - 744 - 8290	Male	Age: 41 Years
	Cpd	White	
Sobriety:	Sober		
CPD Officer:	No		

VICTIM - Individual

Name:	PO SMITH#6021	Demographics	
Res:	2150 N California Ave Chicago IL 312 - 744 - 8290	Male	Age: 41 Years
	Cpd		
Sobriety:	Sober		
CPD Officer:	No		

INJURY(S)

Name:	PO KONIOR#14328	Demographics	
Res:	2150 N California Ave Chicago IL 312 - 744 - 8290	Male	Age: 32 Years
	Cpd		
Sobriety:	Sober		
CPD Officer:	No		

RD #: **HX284801**

LOG# 1081170
 Attachment 23



INJURY(S)
Injury Info (PO FERGUS#17370 - Victim)

Injured BY offender Extent: Minor

Type	Weapon Used	Other Weapon Used
Other	Hand/Feet/Teeth/Etc.	Other - Closed Fist

Injury Info (PO KONIOR#14328 - Victim)

Injured BY offender Extent: Minor

Hospital: St. Mary Of The Nazareth

Physician Name: DR. SCHREOEDER

Treatment Descr: TREATED AND
RELEASED

Type	Weapon Used	Other Weapon Used
Other	Hand/Feet/Teeth/Etc.	Other - Hands

Injury Info (PO SMITH#6021 - Victim)

Injured BY offender Extent: Minor

Hospital: St. Mary Of The Nazareth

Physician Name: DR. SCHROEDER

Treatment Descr: TREATED AND
RELEASED

Type	Weapon Used	Other Weapon Used
Blunt Trauma	Other	Other - Television
Other	Hand/Feet/Teeth/Etc.	Other - Closed Fist

SUSPECT(S)
Suspect # 1Name: RODRIGUEZ, Oscar
Res: 3416 S Union Ave
Chicago ILLINOIS

Beat: 0915

Demographics

Male	DOB: 05 January 1983
White Hispanic	Age: 31 years
5'08,	Birth Place: Illinois
150 lbs ,	
Brown Eyes	
Black Hair	
Short Hair Style	
Light Brown Complexion	

In Custody

Name: RODRIGUEZ, Luis A
Res: 1537 N Talman Ave
Chicago ILLINOIS

Beat: 1423

Demographics

Male	DOB: 05 September 1981
White Hispanic	Age: 32 years
5'05,	Birth Place: Illinois
165 lbs ,	
Brown Eyes	
Black Hair	
Short Hair Style	
Light Brown Complexion	

In Custody

Suspect # 3		In Custody	
Demographics			
Name: RODRIGUEZ, Cruz		Male	DOB: 26 July 1951
Res: 1537 N Talman Ave	Beat: 1423	White Hispanic	Age: 62 years
Chicago ILLINOIS		5'08, 200 lbs .	Birth Place: Illinois
Suspect # 4		In Custody	
Demographics			
Name: ACUNA, Romulo		Male	DOB: 31 May 1973
Res: 2716 W Cortez St	Beat: 1211	White Hispanic	Age: 41 years
Chicago ILLINOIS		5'08, 205 lbs .	Birth Place: Illinois
		Brown Eyes Black Hair Bald Hair Style Light Brown Complexion	

RELATIONSHIP	PO FERGUS#17370	(Victim)	Is a No Relationship of	RODRIGUEZ, Oscar	(Offender)
	PO FERGUS#17370	(Victim)	Is a No Relationship of	RODRIGUEZ, Luis,A	(Offender)
	PO FERGUS#17370	(Victim)	is a No Relationship of	RODRIGUEZ, Cruz	(Offender)
	PO FERGUS#17370	(Victim)	is a No Relationship of	ACUNA, Romulo	(Offender)
	PO SMITH#6021	(Victim)	Is a No Relationship of	RODRIGUEZ, Oscar	(Offender)
	PO SMITH#6021	(Victim)	is a No Relationship of	RODRIGUEZ, Luis,A	(Offender)
	PO SMITH#6021	(Victim)	Is a No Relationship of	RODRIGUEZ, Cruz	(Offender)
	PO SMITH#6021	(Victim)	is a No Relationship of	ACUNA, Romulo	(Offender)
	PO KONIOR#14328	(Victim)	is a No Relationship of	RODRIGUEZ, Oscar	(Offender)
	PO KONIOR#14328	(Victim)	is a No Relationship of	RODRIGUEZ, Luis,A	(Offender)
	PO KONIOR#14328	(Victim)	is a No Relationship of	RODRIGUEZ, Cruz	(Offender)
	PO KONIOR#14328	(Victim)	Is a No Relationship of	ACUNA, Romulo	(Offender)

GANG INFO	
RODRIGUEZ, Luis	(Suspect)
Affiliation: MEMBER	Gang Identifications: Other
Gang Name: Maniac Latin Disciples	

CLEARED CLOSED (ARREST AND PROSECUTION) SUPPLEMENT CASE REPORT

This is an Area North Violent Crimes Investigation:

DATE & TIME ASSIGNED:
01Jun2014 @ 0840 hoursVICTIM:
P.O. Mike Fergus #17370ADDITIONAL VICTIMS:
P.O. Scott Konior #14328
P.O. Chad Smith #6021
P.O. Marty Ridge #7538

IN CUSTODY OR WANTED:



Rodriguez, Luis A. (In Custody)
MH/32 D.O.B: 05Sep1981
3416 S. Union Ave.
IR# 1252193
CB# 18905520

Acuna, Romulo (In Custody)
M/H/41 D.O.B: 31May1973
2716 W. Cortez Ave.
IR# 1497975
CB# 18905534

Rodriguez, Cruz R. (In Custody)
M/H/62 D.O.B: 26Jul1951
1537 N. Talman Ave.
IR# 2250672
CB# 18905557

Rodriguez, Oscar (In Custody)
M/H/31 D.O.B: 05Jan1983
3416 S. Union Ave.
IR# 1377149
CB# 18905517

ARRESTING OFFICERS:

Beal 1423R: P.O. Ridge #7538
Beal 1423R: P.O. Fergus #17370

DATE, TIME & LOCATION OF ARREST:
01Jun2014 @ 0133 hours at 1537 N. Talman Ave.

CHARGES:

Rodriguez, Luis A.
720ILCS5/12-3.05-D-4 Aggravated Battery to Peace Officer
720ILCS5/12-2-A-16 Aggravated Assault to Police (2x)

Acuna, Romulo
720ILCS5/12-3.05-D-4 Aggravated Battery to Peace Officer

Rodriguez, Cruz R.
720ILCS5/12-3.05-D-4 Aggravated Battery to Peace Officer
720ILCS5/1.22 Resist/Obstruct Officer

Rodriguez, Oscar
720ILCS5/12-2-A-16 Aggravated Assault to Police (2x)

COURT DATE & BRANCH:
09Jun2014 @ Branch 50-5

INJURIES:

P.O. Fergus Soreness to Face
P.O. Konior Soreness to Shoulder and Hand
P.O. Smith Scrape to Left Forearm, Left hand, and web of Thumb, Redness to Left Side of Face

TAKEN TO:
St Mary of the Nazareth Hospital - Dr. Schroeder

WEAPON:
Hands

LOCATION:
1537 N. Talman Ave.

DATE, DAY, & TIME OF OCCURRENCE:
Sunday 01Jun2014 @ 0129 hours

WEATHER & LIGHTING:
Clear 70's Artificial Lighting

MANNER / MOTIVE:
Drunken Party / Resist Arrest

IDENTIFIED BY:
A/O's

EVIDENCE:
Photos of P.O. Smith's Injuries

NOTIFICATIONS:
Area North Violent Crimes

PERSONNEL ASSIGNED:
Beat 1421R: P.O. Schroeder #16922
Beat 1421R: P.O. Brynkus #9232
Beat 1434R: P.O. O'Brien #16540
Beat 1434R: P.O. Colon #16038
Beat 1462A: P.O. Silius #17661
Beat 1462A: P.O. Vo #18574
Beat 1412R: P.O. Feliciano #14075
Beat 1412R: P.O. Zamora #5417
Beat 1420R: Sgt. Janko #1706
Beat 1462E: P.O. Reyes #15014
Beat 1462E: P.O. Smith #6021
Beat 1411R: P.O. Luna #11011
Beat 1411R: P.O. Stagen #11495
Beat 1462B: P.O. Mendoza #17156
Beat 1462B: P.O. Baker #6437
Beat 1413R: P.O. Haleas #6390
Beat 1413R: P.O. Thompson #13612
Beat 1410R: Sgt. Sopkotis #2468
Beat 1424R: P.O. Vazquez #11864
Beat 1424R: P.O. Graffeo #3185
Beat 1424R: P.O. Perez, Jr. #5739
Beat 1462C: P.O. Konior #14328
Beat 1462C: P.O. Swarbrick #4069
Beat 1423R: P.O. Rldge #7538
Beat 1423R: P.O. Fergus #17370

WITNESSES:
A/O's

INTERVIEWED:
Rodriguez, Luis A. (Offender)
Acuna, Romulo (Offender)
Rodriguez, Cruz R. (Offender)
Rodriguez, Oscar (Offender)
P.O. Fergus
P.O. Konior
P.O. Smith
P.O. Rldge

INVESTIGATION:

R/O was assigned to handle the Aggravated Battery to four Police Officers with four offenders in custody in the 014th District by Sgt. Holy #2525 of this command on 01Jun2014 @ 0840 hours. R/O was told that all the victims and offenders were coming into the area for the investigation.

All interviews and statements in this report should be considered a summary of events and not verbatim unless otherwise noted.

INTERVIEW: Acuna, Romulo by Det. Weitzman #20307 014th District



Offender Romulo was given his Miranda Rights by Det. Weitzman at 0900 hours. Romulo acknowledged his rights and invoked his right to have a lawyer present during questioning.

INTERVIEW: Rodriguez, Oscar by Det. Weitzman #20307 014th District

Offender Oscar was given his Miranda Rights by Det. Weitzman at 0915 hours. Oscar acknowledged his rights and invoked his right to have a lawyer present during questioning.

INTERVIEW: Rodriguez, Luis by Det. Weitzman #20307 019th District

Offender Luis was given his Miranda Rights by Det. Weitzman at 0940 hours. Luis acknowledged his rights and invoked his right to have a lawyer present during questioning.

INTERVIEW: Rodriguez, Cruz by Det. Weitzman #20307 Thorek Hospital

Offender Cruz was given his Miranda Rights by Det. Weitzman at 1005 hours. Cruz acknowledged his rights and invoked his right to have a lawyer present during questioning.

INTERVIEW: P.O. Mike Fergus #17370 at Area North 1010 hours

R/O stated that he responded to an assault in progress call. Upon arrival several people were yelling things such as, "You Motherfuckers. You can't come in. Fuck You. Get the Fuck out of here. Fuck these crackers. Call OPS." Most of these statements came from Luis, Oscar, and Romulo.

Luis and Oscar said, "I'll kick your Bitch Ass!" As P.O. Fergus was at the gate, which was locked to prevent the officers from gaining entry, talking to Romulo attempting to diffuse the situation, someone punching P.O. Fergus in the face.

P.O. Ridge had told P.O. Fergus that the offender Oscar had punched him in the right side of the face. There were no visible marks at the time of interview which was several hours after the incident.

Everyone then ran inside the house. Officers called for back up and when assist cars arrived officers gained access into the house. Offender Oscar's mother was blocking the entrance into the house. Officers moved her out of the way and Offender Cruz (Luis' Father) was holding him to prevent offender Luis from being arrested.

A/O's were able to apprehend offender Luis. Offender Luis was taken to the ground and handcuffed. P.O. Fergus escorted offender Luis outside at which time offender Luis kicked P.O. Fergus in the chest.

INTERVIEW: P.O. Scott Konior #14328 at Area North at 1030 hours

P.O. Konior said that he was responding to a call for assisting an officer. P.O. Fergus said that someone had punched him in the face. P.O. Konior asked where the offender was. P.O. Fergus told P.O. Konior that the offender was in the house.

P.O. Konior hopped the fence and gained entry into the house. P.O. Konior said that the offender's mother was standing in the doorway and she was moved out of the way.

Offender Cruz was holding Offender Luis in an attempt to keep Luis from being arrested. P.O. Konior asked Offender Cruz to release Offender Luis. P.O. Konior said, "Let's do this the easy way. Luis is going to jail either way!"

As A/O's were pulling offender Luis from offender Cruz, offender Cruz grabbed P.O. Konior by the vest and pulled him to the ground sideways, falling into a TV.

P.O. Konior attempted to get up and offender Cruz pulled P.O. Konior back to the ground and attempted to and hit and stuck P.O. Konior in the chest several times with a closed fist.

P.O. Konior used several open hand strikes to offender Cruz's face, handcuffed him. The entire time that P.O. Konior was attempting to handcuff offender Cruz, he was resisting arrest avoiding being handcuffed.

P.O. Konior then observed offender Romulo run at and strike P.O. Smith in the head and P.O. Smith went down to the ground.

P.O. Konior had no visible marks at the time of interview which was several hours after the incident. P.O. Konior did complain of soreness.

INTERVIEW: P.O. Chad Smith #6021 at Area North at 1100 hours

P.O. Smith stated that he responded to an assist the police call and observed a lot of people in the yard yelling obscenities and things such as, "Fuck You. Get out of here. They didn't do anything. You are all a bunch of bitches!"

P.O. Smith observed an officer gain entry into the building and upon entry P.O. Smith observed P.O. Konkor was on the ground struggling with offender Cruz.

P.O. Smith observed a large amount of people and was attempting to maintain control in the crowd when offender Romulo ran at him and punched P.O. Smith in the left side of the face causing him to fall backwards into a TV and then the TV fell on P.O. Smith's head.

Offender Romulo came charging at him and P.O. Luis Reyes #15014 grabbed offender Romulo. They placed offender Romulo on a sofa and attempted to handcuff offender Romulo who was resisting arrest by stiffening his arms.

Offender Romulo finally was subdued and handcuffed after some strikes to the head.

P.O. Smith sustained scrapes to his left forearm, left hand, and web of thumb. P.O. Smith also had redness to left side of face. P.O. Smith had a bump on his head as well.

Beat 5836: E.T. Gutierrez #11666 took photo's of these injuries.

INTERVIEW: P.O. Marty Ridge #7538 at Area North at 1120 hours

P.O. Ridge stated that he responded to an assault call and they locked the gate and started motherfucking them (officers). They started yelling, "Fuck You! I'll kill you! You Crackers! Call OPS."

P.O. Ridge then observed offender Luis punch P.O. Fergus in the face. P.O. Ridge called for back up, stating that Mike was punched in the face.

When backup arrived Luis ran into the house. A/O's climbed the fence and gained entry into the house. Offender Cruz was holding Offender Luis in an attempt to defeat his arrest. Offender was arrested and taken out by P.O. Ridge and escorted to the wagon.

P.O. Ridge received no injuries and did not observe anything further.

Felony Review Called at 1132 hours.

A.S.A. Jennifer Walsh Called Back at 1140 hour.

Felony Charges approved at 1155 hours.

Due to the fact that all the offenders were arrested and charged accordingly in this case, R/D is Closing this case Clear (Arrest & Prosecution).

Report of
Beal 5337:
Det. M. Schenatzki #20868

Reporting Officer	4089	#97735	SWARBRICK, John, R	[REDACTED]	01 Jun 2014 08:03	014	1462C
Defective/Investigalor	20868	#52820	SCHENATZKI, Matthew, A	[REDACTED]	02 Jun 2014 07:04	630	

Victim	IUCR	Crime	Offender
PO FERGUS#17370	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Oscar
PO KONIOR#14328	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Oscar
PO SMITH#6021	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Oscar
PO FERGUS#17370	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ A Luis
PO KONIOR#14328	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ A Luis
PO SMITH#6021	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ A Luis
PO FERGUS#17370	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Cruz
PO KONIOR#14328	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Cruz
PO SMITH#6021	0461	Battery - Agg Po Hands Etc Serious Inj	RODRIGUEZ Cruz
PO FERGUS#17370	0461	Battery - Agg Po Hands Etc Serious Inj	ACUNA Romulo
PO KONIOR#14328	0461	Battery - Agg Po Hands Etc Serious Inj	ACUNA Romulo
PO SMITH#6021	0461	Battery - Agg Po Hands Etc Serious Inj	ACUNA Romulo

LOG# 1081170
Attachment 23